

CHAPTER 1233

PUBLIC UTILITIES ASSESSMENT

S. F. 1007

AN ACT relating to a temporary initial assessment against all public utilities to provide a fund for implementation of the public utilities regulation law.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section four hundred ninety A point ten (490A.10),
2 Code 1966, as amended by Acts of the Sixty-second General Assembly,
3 chapter one (1) and Acts of the Sixty-third General Assembly, First
4 Session, chapter thirteen (13), is further amended by striking lines
5 twenty-five (25) to thirty-one (31), inclusive, and the word "after"
6 in line thirty-two (32).

1 SEC. 2. This Act shall not be construed to cancel the 1963 tempo-
2 rary assessment to public utilities.

Approved February 2, 1970.

CHAPTER 1234

COMMERCE COMMISSION

S. F. 1277

AN ACT relating to exercise of governmental powers by the state commerce commission, providing penalties, authority to compromise, and appeals procedures.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section four hundred ninety point thirty (490.30),
2 Code 1966, is hereby repealed.

1 SEC. 2. Chapter four hundred ninety (490), Code 1966, is hereby
2 amended by adding at the end thereof the following new sections:

3 1. "Any person who violates any provision of this chapter or any
4 regulation issued pursuant to this chapter shall be subject to a civil
5 penalty of not to exceed one thousand dollars for each violation. Each
6 day that the violation continues shall constitute a separate offense.
7 However, the maximum civil penalty shall not exceed two hundred
8 thousand dollars for any related series of violations.

9 Any civil penalty may be compromised by the state commerce com-
10 mission. In determining the amount of the penalty, or the amount
11 agreed upon in compromise, the appropriateness of the penalty to the
12 size of the business of the person charged, the gravity of the violation,
13 and the good faith of the person charged in attempting to achieve
14 compliance, after notification of a violation, shall be considered. The
15 amount of the penalty, when finally determined, or the amount agreed
16 upon in compromise, may be deducted from any sums owed by the
17 state to the person charged, or may be recovered in a civil action."

18 2. "Rehearing and appeal procedures for any person, company, or
19 corporation aggrieved by the action of the commission in granting or
20 failing to grant a permit under the provisions of this chapter shall